

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

CHARLES WAYNE SEXTON,)	Civil Action No. 7:17-cv-00427
Plaintiff,)	
)	
v.)	<u>OPINION</u>
)	
DEWAYNE LOCKHEART,)	By: James P. Jones
Defendant(s).)	United States District Judge

Charles Wayne Sexton, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983. By Order entered 10/17/2017, the court directed plaintiff to submit within 30 days from the date of the Order an amended complaint. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than 30 days have elapsed, and plaintiff has failed to comply with the described conditions. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 22nd day of November, 2017.

/s/James P. Jones
United States District Judge